(b) if so, what are the details including reasons for such decision?

THE MINISTER OF COMPANY AFFAIRS (SHRI PREM CHAND GUPTA): (a) At present there is no such instruction in existence.

(b) Does not arise.

Fair procedure in appointments in Competition Commission

830. SHRI LALITBHAI MEHTA: Will the Minister of COMPANY AFFAIRS be pleased to state:

(a) the present status of the Competition Commission of India;

(b) whether it is a fact that the appointments of the Chairman and Members of the Commission have been challenged under a writ petition before the Supreme Court: and

(c) whether Government propose to adopt a transparent and fair procedure in appointments in such regulatory bodies?

THE MINISTER OF COMPANY AFFAIRS (SHRI PREM CHAND GUPTA): (a) to (c) The Competition Commission of India was set up on 14th October, 2003. The Competition Act, 2002, the Selection Rules made thereunder and appointments made were subject to legal challenges in the Supreme Court. The Supreme Court has delivered its Judgement on 20.01.2005. While disposing of the Writ Petition, the Apex Court has allowed the Central Government to make amendments necessary to ensure consistency with constitutional provisions. An exercise has been initiated to review the enactment in light of the Supreme Court Judgement.

Functional autonomy for Competition Commission

831. SHRI LALITBHAI MEHTA: Will the Minister of COMPANY AFFAIRS be pleased to state:

(a) whether Government are considering to make rules, which ensures functional autonomy for the Competition Commission of India;

(b) whether there is any proposal before Government regarding engagement of foreign agencies for building capacity of the Competition Commission of India; and